

**Before the  
Federal Communications Commission  
Washington, D.C. 20554**

In the Matter of	)	
	)	
South Slope Cooperative Telephone	)	
Company d/b/a South Slope Wireless	)	
	)	WT Docket No. 01-309
Section 68.4(a) of the Commission's Rules	)	
Governing Hearing Aid Compatible	)	
Telephones	)	
	)	
Request for Temporary Waiver or Temporary	)	
Stay of Section 20.19(c)(2)(i) of the Rules	)	

To: Chief, Wireless Telecommunications Bureau

**MINOR AMENDMENT TO PETITION FOR TEMPORARY WAIVER  
OR TEMPORARY STAY**

South Slope Cooperative Telephone Company d/b/a South Slope Wireless ("South Slope" or "the Company"), by its attorneys and pursuant to Section 1.65 of the Commission's Rules, hereby submits a minor amendment to the Company's pending Petition for Temporary Waiver or Temporary Stay of the requirements contained in Section 20.19(c)(2)(i) of the Rules ("*HAC Petition*"). In brief, based on information that has only recently come to light, South Slope files this minor amendment to reduce significantly the scope of relief requested in its *HAC Petition* and to provide the Commission with further information demonstrating that South Slope was, in fact, in substantial compliance with the Hearing Aid Compatibility (or "HAC") requirements contained in the Commission's Rules on the compliance deadline of September 16, 2005. In support hereof, the following is shown:

South Slope is a member-owned rural telephone cooperative and Tier III wireless carrier that is licensed to provide broadband PCS service in portions of the Des Moines-Quad Cities MTA. South Slope's wireless system employs a GSM air interface and is

configured to operate as part of the *i wireless* network. *i wireless* is a partnership between T-Mobile USA and Iowa Network Services (“INS”) that is headquartered in Urbandale, Iowa.

By way of background, Section 20.19(c)(2)(i) of the Rules required CMRS carriers such as South Slope include among their handset offerings at least two handset models per air interface that comply with Rule Section 20.19(b)(1), and make available in each retail store owned or operated by it all of these handset models for consumers to test in the store. Other portions of Rule Section 20.19 specify the minimum technical standards for hearing aid compatibility<sup>1</sup> and product labeling requirements for handsets used with public mobile services that are hearing aid compatible.<sup>2</sup>

Based upon information that was then available to the company, South Slope filed its *HAC Petition* on September 16, 2005, indicating that none of the GSM handsets then offered by the Company had been demonstrated as meeting, at a minimum, a U3 rating under ANSI Standard C63.19.<sup>3</sup> Because South Slope is a small wireless carrier that is not involved in the design, manufacturing or testing of wireless handsets, the Company could not know with any certainty when HAC-compliant GSM handsets would be developed, or when these devices would become available to a small carrier such as South Slope. Therefore, the Company reasonably requested an additional year (*i.e.*, up to and including September 16, 2006) to comply with Section 20.19(c)(2)(i) of the Rules.

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<sup>1</sup> See 47 C.F.R. 20.19(b)

<sup>2</sup> See 47 C.F.R. 20.19(f)

<sup>3</sup> While the 2001 version of the C63.19 standard uses a “U” rating for radiofrequency (RF) immunity and a “UT” rating for acoustic coupling, the 2005 version uses labeling that is consistent with the switches on hearing aids (*i.e.*, specifying “M” for Microphone and “T” for T-Coil).

In recent weeks, representatives of South Slope have learned that at least one of the Company's handset vendors, Motorola, may have obtained an M3 hearing aid compatibility rating for at least two of the GSM handsets that South Slope has available, specifically the V220 and the V3 "RAZR" models, prior to the September 16, 2005, compliance deadline. Such HAC certification appears to have been obtained in early September, and a review of the FCC Office of Engineering and Technology's equipment authorization database indicates that Motorola notified the FCC's office of Engineering and Technology on September 14, 2005 that the V220 was HAC-compliant (See FCC ID No. IHDT56ER1) and on September 15, 2005 that the V3 was HAC-compliant (See FCC ID No. IHDT56EU1).

Therefore, it appears that South Slope was already selling both of the Motorola M3-rated handsets when the September 16th deadline went into effect and carriers were required to have at least two HAC-compliant handset models available per air interface for customers to try out and purchase. South Slope notes that, although its supply of M3-rated handsets was not labeled by the manufacturer as such, and although its sales and marketing staff was not aware of the HAC-compatibility rating only recently received by these Motorola products, consumers could still obtain the benefit of HAC-compatibility simply by trying out different handsets in the store, as Company policy has always allowed. However, even if the South Slope was selling two M3-rated handset models prior to the September 16, 2005 deadline, it appears that the Company would still need a waiver of the Commission's HAC rules to the extent that the M3 rating was not clearly displayed on the packaging material, and to the extent that an explanation of the ANSI C63.19 rating system was not included in the owner's manual or as an insert in the

packing material for the handset. These labeling requirements are contained in Rule Section 20.19 (f) of the Commission's Rules.

Since learning of the HAC certification of these Motorola handsets, South Slope has confirmed that its inventory of Motorola V220 and V3 phones are identical to the type for which HAC certification was obtained back in September, and the Company (in conjunction with *i wireless*) has requested appropriate "M3 Rating" stickers and owner's manual inserts for the boxes of all HAC compliant phones that it has in inventory. These materials are expected to be received in just a matter of days, and the package labeling and insert process shall begin immediately thereafter, to proceed with all deliberate haste.

Barring any unforeseen delays, South Slope believes this handset labeling process can be completed, and additional educational/promotional materials circulated in the Company's stores and among the Company's sales staff, before the end of the year. Accordingly, South Slope hereby amends the request for relief contained in its *HAC Petition* and respectfully asks that it be granted an extension up to and including December 31, 2005, to obtain approved package labeling and insert material from its vendor, and to complete the labeling/insert process.

**WHEREFORE**, good cause shown, South Slope respectfully requests that its *HAC Petition*, as modified by this amendment, be granted.

Respectfully Submitted,  
**SOUTH SLOPE COOPERATIVE TELEPHONE  
COMPANY d/b/a SOUTH SLOPE WIRELESS**

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